

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHARNELL HORNE,)	
)	
Plaintiff,)	CASE NO. C06-607-MJP-MJB
)	
v.)	
)	
CITY OF SEATTLE,)	ORDER TO SHOW CAUSE
)	
Defendant.)	
_____)	

Now before the Court is Plaintiff's motion for order compelling disclosure or discovery. The Court, having reviewed Plaintiff's motion and the record as a whole, hereby finds and ORDER as follows:

(1) On July 19, 2006, in an Order denying Plaintiff's motion for Default, this Court advised Plaintiff that she had not effected proper service of the summons and complaint¹ on Defendant as required under Fed. R. Civ. P. 4(j)(2). (*See* Dkt. #18 at 2.) To date, Plaintiff has not made proof of service showing that proper service under this rule has been satisfied.² *See* Fed. R. Civ. P. 4(l).

¹The Court notes that Plaintiff has filed an amended complaint (Dkt. #10) in this action on June 1, 2006.

²Plaintiff's previously filed affidavit of mailing summons and complaint to Tom Carr - City Attorney (Dkt. #14) does not satisfy the service requirements of Fed. R. Civ. P. 4(j)(2).

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1 (2) Accordingly, Plaintiff's motion to compel disclosure or discovery (Dkt.
2 #21) is DENIED.

3 (3) Plaintiff shall have **fifteen (15) days** from the date of this Order to
4 properly serve Defendant with the amended complaint and with appropriate summons
5 as required under Fed. R. Civ. P. 4(j)(2), and make proof of service to the Court, or
6 show cause why this action should not be dismissed without prejudice for failure to
7 timely effect service.

8 DATED this 24th day of November, 2006.

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11 MONICA J. BENTON
12 United States Magistrate Judge
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